

NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

DATE: May 24, 2006
TIME: 10:00 a.m.
PLACE: Lyndhurst, New Jersey
RE: MONTHLY MEETING

1. Pledge of Allegiance
2. Sunshine Law Statement
3. Roll Call
4. REVIEW OF MINUTES:

- March 29, 2006
- April 26, 2006

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5. SPECIAL PRESENTATION:

State of Flood Control Infrastructure in the Meadowlands District.

6. PUBLIC PARTICIPATION ON RESOLUTIONS

7. CONSENT AGENDA

Resolution No. 06-39 Consideration of a Resolution Regarding
1 Bulk Variance for Block 1000, Lot 2,
In the City of Jersey City (File #05-147,
PSE&G/Sprint Spectrum Antenna).

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Resolution No. 06-40 Consideration of a Resolution Regarding
1 Bulk Variance for Block 128, Lot 5,
In the Borough of Carlstadt (File #05-528,
A.G. Holdings/Unimac Graphics – Pad
Add & Fence).

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NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

MONTHLY MEETING

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8. **REDEVELOPMENT**

Resolution No. 06-41	Consideration of a Resolution Concerning An Amendment to the Secaucus Transit Village Redevelopment Plan.	Pg. 15
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Resolution No. 06-42	Consideration of a Resolution Authorizing Staff to Undertake an In Need of Redevelopment Study for Block 202, Lots 2 and 4 in the Borough of Teterboro.	Pg. 19
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9. **FLOOD CONTROL**

Resolution No. 06-43	Consideration of a Resolution to Undertake A Feasibility Study for the Creation of a Regional Stormwater Utility in the Meadowlands District for the Purpose of Undertaking Flood Control Projects and Maintenance of Infrastructure.	Pg. 21
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Resolution No. 06-44	Consideration of a Resolution Authorizing The Executive Director To Amend Resolution No. 04-11 To Provide a Supplemental Appropriation In The Amount of \$50,000 for the Mill Ridge Road Drainage Improvement Project in The Town of Secaucus.	Pg. 24
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NEW JERSEY MEADOWLANDS COMMISSION
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10. PERFORMANCE EVALUATION SYSTEM/BUDGETING PROGRAM

Resolution No. 06-45	Consideration of a Resolution Authorizing The Executive Director to Amend the Project Scope of Agreement with the National Center for Public Productivity at Rutgers University.	Pg. 27
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11. ZONING

Resolution No. 06-46	Consideration of a Resolution Concerning A Rezoning of 501 New County Road, Block 16, Lot 5 in the Town of Secaucus.	Pg. 30
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12. HEARING OFFICERS' PROCESS

Resolution No. 06-47	Consideration of a Resolution Authorizing The New Jersey Meadowlands Commission Staff to Commence a Hearing Officers' Process for the New Giants/Jets Stadium Project.	Pg. 33
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NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

MONTHLY MEETING

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13. **REPORTS**

- A. Commissioners
- B. Executive Director
- C. Directors
- D. HMMC Executive Director

14. **NEW BUSINESS**

15. **PUBLIC PARTICIPATION**

16. **CLOSED SESSION**

- A. Adopt Resolution No. 06-48 to hold Closed Session.
- B. Adjournment to Closed Session. The Commission Reserves the Right to Reconvene into Public Session, if necessary, to take Action On Closed Session Items.

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PLEASE CONTACT THE NJMC OFFICE (201-470-1700) PRIOR TO MEETING IF SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA

NEW JERSEY MEADOWLANDS COMMISSION

DATE: March 29, 2006
TIME: 10:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT: Leonard R. Kaiser, Acting Chairman
James Anzevino
Michael J. Gonnelli
Mia Macri
Arleen Walther

STAFF PRESENT: Robert R. Ceberio, Executive Director
Irfan Bora, Director of Finance & Management/
Chief Financial Officer
Linda Baer, Deputy Executive Director of External Affairs
Thomas Marturano, Director of Natural Resources
Francisco Artigas, Director of MERI
Christine Piatek, Deputy Attorney General
Lynn Johnson, Executive Assistant

1. Pledge of Allegiance
2. Executive Director Ceberio read the Notice of Meeting required under the Sunshine Law.
3. Roll Call

Motion naming Commissioner Kaiser as Acting Chair for the March 29, 2006 meeting.

Motion was made by Commissioner Anzevino and Seconded by Commissioner Gonnelli and unanimously carried.

4. REVIEW OF MINUTES

Minutes of the January 25, 2006 meetings were moved by Commissioner Gonnelli, seconded by Commissioner Anzevino and carried with Commissioners Macri and Kaiser abstaining.

5. SPECIAL PRESENTATION

GIS Presentation - Mr. Ceberio explained that part of the GIS Program is to offer first responders in each municipality with a lap-top computer which provides necessary data prior to arriving at a scene within that municipality. It specifically provides the Chief of the Fire Department with the type of structure, closest hydrants, and right-to-know data. Mr. Ceberio further explained that approximately seven municipalities are on line and expect to have the balance of the communities completed by the end of the year. Mr. Ceberio presented lap-tops to the Borough of Ridgefield and East Rutherford who have recently completed their training with the system.

6. PUBLIC PARTICIPATION ON RESOLUTIONS

- Michael Guarino, Lyndhurst resident spoke on Resolution 06-16.
- Margaret Schack, Rutherford Taxpayers Association spoke on Resolution 06-21 and 06-20

7. AGENCY RE-ENGINEERING AND RESTRUCTURING

Resolution No. 06-15 - Resolution Authorizing the Executive Director to Enter into an agreement with the National Center for Public Productivity at Rutgers University to establish a performance evaluation system and program.

Resolution No. 06-16 - Resolution Authorizing the Executive Director to create a performance based budget for fiscal year 2007.

Resolution No. 06-17 - Resolution Authorizing the Executive Director to prepare a multi-year operating budget commencing in fiscal year 2007.

Motion to adopt these resolutions was made by Commissioner Gonnelli, seconded by Commissioner Kaiser and unanimously carried

8. AFFORDABLE HOUSING

Resolution No. 06-18 - Resolution Authorizing the New Jersey Meadowlands Commission to give financial assistance to district municipalities to implement fair housing plans

Motion to adopt this resolution was made by Commissioner Macri, seconded by Commissioner Anzevino and unanimously carried.

9. USE INTERPRETATION

Resolution No. 06-19 - Resolution issuing a use interpretation for 110 Moonachie Ave, Block 62, Lot 3 in the Borough of Moonachie

Motion to adopt this resolution was made by Commissioner Walther, seconded by Commissioner Anzevino and unanimously carried.

10. REGULATIONS

Resolution No. 06-20 - Resolution concerning amendments to the Floodplain Management Rules.

Motion to adopt this resolution was made by Commissioner Gonnelli, seconded by Commissioner Macri and unanimously carried.

11. SCHOLARSHIP PROGRAM

Resolution 06-21 - Resolution to appropriate \$28,000 for a scholarship program for high school students from the Meadowlands District Municipalities.

Motion to adopt this resolution was made by Commissioner Walther, seconded by Commissioner Gonnelli and unanimously carried.

12. BIRDING, WILDLIFE AND FISHING GUIDE

Resolution 06-22 - Resolution Authorizing the Executive Director to appropriate \$140,000 for printing and distribution of the New Jersey Meadowlands Birding, Wildlife and Fishing Guide.

Motion to adopt this resolution was made by Commissioner Macri, seconded by Commissioner Walther and unanimously carried.

13. OPEN SPACE

Resolution 06-23 - Resolution Authorizing the purchase of property in the Borough of Carlstadt, NJ for open space purposes.

Motion to adopt this resolution was made by Commissioner Anzevino, seconded by Commissioner Gonnelli and unanimously carried.

14. PUBLIC PARTICIPATION ON

- Rose Inguanti, Rutherford resident
- Captain Bill Sheehan, Hackensack Riverkeeper

- Fred Dressel, Mayor of Moonachie
- Margaret Schak
- Victoria Madden, Project Director for the partnership between Ramapo College and the MEC.
- Michael Guarino

15. CLOSED SESSION

The following issues were taken into consideration:

- Resolution 06-25
- Resolution 06-26
- New York Susquehanna lawsuit
- Little Ferry Builders Remedy lawsuit

Motion to enter into closed session was made by Commissioner Anzevino, seconded by Commissioner Gonnelli and unanimously carried.

Motion to return to Open Session was made by Commissioner Anzevino, seconded by Commissioner Walther and unanimously carried.

Resolution 06-25 - Resolution authorizing \$200,000 for special counsel for our litigation with the Railroad Solid Waste Transfer Stations in the Meadowlands District.

Resolution 06-26 - Resolution authorizing the Executive Director to engage special counsel for the purpose of performing legal work associated with the EnCap Golf project.

Motion to adopt these resolutions was made by Commissioner Walther, seconded by Commissioner Gonnelli and unanimously carried.

Motion to adjourn meeting was made by Commissioner Anzevino, seconded by Commissioner Walther and unanimously carried.

Meeting adjourned.

ROBERT R. CEBERIO, SECRETARY

NEW JERSEY MEADOWLANDS COMMISSION

DATE: April 26, 2006
TIME: 10:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT: Leonard R. Kaiser, Acting Chairman
James Anzevino
Michael J. Gonnelli
Arleen Walther

STAFF PRESENT: Robert R. Ceberio, Executive Director
Irfan Bora, Director of Finance & Management/
Chief Financial Officer
Linda Baer, Deputy Executive Director of External Affairs
Thomas Marturano, Director of Natural Resources
Ileana Kafrouni, Director of Land Use Management
Francisco Artigas, Director of MERI
Matt McHale, Director of Intergovernmental Affairs
Christopher Gale, Director of Communications
Fred Dressel, HMMC
Christine Piatek, Deputy Attorney General
Lisa Thornton, Assistant counsel to the Governor
Lynn Johnson, Executive Assistant

1. Pledge of Allegiance
2. Executive Director Ceberio read the Notice of Meeting required under the Sunshine Law.
3. Roll Call

Motion naming Commissioner Kaiser as Acting Chair for the April 26, 2006 meeting.

Motion was made by Commissioner Anzevino and Seconded by Commissioner Gonnelli and unanimously carried.

4. REVIEW OF MINUTES
Tabled until the next meeting

5. SPECIAL PRESENTATION

Audubon Avian Study - Nellie Tsipoura and Ken Wickowsky presented their preliminary results from the first year of the two-year avian study.

Festival of Birding - Mr. Carola of the New Jersey Audubon Society gave a presentation on the upcoming September 17 Festival of Birding.

Report on Convention and Visitor's Bureau - Jim Kirkos, president of the Meadowlands Chamber of Commerce gave a presentation on the Convention and Visitor's Bureau.

6. PUBLIC PARTICIPATION ON RESOLUTIONS

- Richard Buzz Dressel, Business Manger and representative from Local 164 of the International Brotherhood of Electrical Workers spoke on Resolution 06-32.
- Tammy Molinelli, Executive Director of the Bergen County Workforce Investment Board and Tony Forci, Executive Director of the Hudson County Web spoke on Resolution 06-32.
- James Kirkos, President Meadowlands Regional Chamber of Commerce spoke on Resolution 06-32.
- Greg Remaud of the New York/New Jersey Baykeeper spoke on Resolution 06-38

7. REGIONAL EDUCATION/ECONOMIC DEVELOPMENT

Resolution No. 06-32 - Resolution Authorizing the Executive Director to Enter into an Memorandum of Understanding with the Bergen and Hudson Workforce Investment Boards, the Meadowlands Regional Chamber of Commerce, Ramapo College and the Department of Labor for a Regional Education/Training/Employment Initiative.

Acting Chairman Kaiser asked that the resolution be introduced as amended with the inclusion of Local 164 as part of the partnership.

Motion to adopt this resolution was made by Commissioner Anzevino, seconded by Commissioner Walther and unanimously carried.

Resolution No. 06-33 - Resolution Authorizing the Executive Director to appropriate Year Two funding for the Convention and Visitors Bureau from the Magnet Program

Motion to adopt this resolution was made by Commissioner Anzevino, seconded by Commissioner Gonnelli and unanimously carried.

8. AUDIT

Resolution No. 06-34 – Resolution Accepting the NJMC 2005 Audit Reports

Motion to adopt this resolution was made by Commissioner Gonnelli, seconded by Commissioner Walther and unanimously carried.

9. MUNICIPAL ASSISTANCE PROGRAM

Resolution No. 06-35 – Resolution Authorizing the Executive Director to Participate in Arbor Day 2006.

Motion to adopt this resolution was made by Commissioner Gonnelli, seconded by Commissioner Walther and unanimously carried.

10. GREEN BUILDING

Resolution No. 06-36 – Resolution Authorizing the Executive Director to Enter into a Contract with the New jersey Institute of Technology, Center for Architecture and Building Science Research to Develop Green Building Guidelines.

Motion to adopt this resolution was made by Commissioner Walther, seconded by Commissioner Anzevino and unanimously carried.

11. PROPERTY ACQUISITION

Resolution 06-37 – Resolution Authorizing the Executive Director to Enter into an Agreement to Purchase the Property Known as Block 105.02, Lots 7, 8,9, 10 and Block 105.01, Lots 9, 11, 12, 13 in the Borough East Rutherford, New Jersey.

Motion to adopt this resolution was made by Commissioner Walther, seconded by Commissioner Gonnelli and unanimously carried.

12. RESTORATION

Resolution 06-38 – Resolution Authorizing the Executive Director to Provide Hudson County with Financial Assistance to Restore or Enhance Wetlands at the Laurel Hill County Park.

Motion to adopt this resolution was made by Commissioner Gonnelli, seconded by Commissioner Anzevino and unanimously carried.

13. PUBLIC PARTICIPATION ON

- Margaret Schak, Rutherford Taxpayers Association

Motion to adjourn meeting was made by Commissioner Anzevino, seconded by Commissioner Gonnelli and unanimously carried.

ROBERT R. CEBERIO, SECRETARY

**RESOLUTION ISSUING A DECISION ON THE VARIANCE APPLICATION
SUBMITTED AS PART OF
FILE NO. 05-147 PSE&G/SPRINT SPECTRUM- ANTENNA
BLOCK 1000, LOT 2, IN THE CITY OF JERSEY CITY**

WHEREAS, an application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission ("NJMC") by Alan B. Zublatt, Esq. on behalf of PSE&G/Sprint Spectrum-Antenna, for the premises identified as Secaucus Road, Block 1000, Lot 2, in the City of Jersey City; and

WHEREAS, the variance is sought in connection with the applicant's proposal to construct a wireless telecommunications facility on the subject premises and located in the NJMC's Intermodal B (IB) zone; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-5.98(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing to install equipment cabinets set back 65 feet from the rear yard property line on the subject premises; and

WHEREAS, notice of the requested variance relief was given to the public and all interested parties as required by law and was published in The Jersey Journal; and

WHEREAS, a public hearing was held in the Office of the NJMC on February 7, 2006, before Sharon Mascaró, Chief Engineer and Brandon Alviano, Staff Planner; and

WHEREAS, a comprehensive report dated May 8, 2006 has been prepared indicating the recommendations of the Director of Land Use Management and the Executive Director in this matter; and

WHEREAS, the report recommends approval of the bulk variance request to install equipment cabinets set back 65 feet from the rear yard property line; and

WHEREAS, the members of the NJMC have reviewed the full record including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and Chief of Regulatory Affairs and by the Executive Director, the submissions of the applicant and all written public comments; and

WHEREAS, the members of the NJMC concur with the recommendations of the Director of Land Use Management and Chief of Regulatory Affairs and the Executive Director; and

WHEREAS, the NJMC hereby determines that the requested variance to install equipment cabinets set back 65 feet from the rear yard property line conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the PSE&G/Sprint Spectrum-Antenna application for one bulk variance to install equipment cabinets set back 65 feet from the rear yard property line is hereby **APPROVED** for the reasons set forth in the May 8, 2006, recommendation.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert Ceberio
Secretary

Resolution No. 06-39

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: May 24, 2006

Subject: Variance Recommendation: PSE&G/Sprint Spectrum-Antenna (File 05-147)

An application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission by Alan B. Zublatt, Esq. on behalf of Sprint Spectrum, L.P. for the premises identified as Secaucus Road, Block 1000, Lot 2, in the City of Jersey City, New Jersey. Said premises are located in the Commission's Intermodal B (IB) zone. The variance is sought in connection with the applicant's proposal to construct a wireless telecommunications facility at this site.

The applicant has requested variance relief from N.J.A.C. 19:4-5.98(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing to install equipment cabinets set back 65 feet from the rear yard property line. A public hearing on this matter was held in the Office of the NJMC on February 7, 2006.

In a comprehensive report dated May 8, 2006, the Director of Land Use Management and the Executive Director recommended approval of the bulk variance request in connection with the applicant's proposal to install equipment cabinets set back 65 feet from the rear yard property line. This report was forwarded to the applicant on May 9, 2006 and no appeal was received by the NJMC regarding this matter.

At this time, the Commission is required to issue a decision on the one (1) bulk variance application described above. A resolution requesting the same is attached for your consideration.

**RESOLUTION ISSUING A DECISION ON THE VARIANCE APPLICATION
SUBMITTED AS PART OF FILE NO. 05-528
A.G. HOLDINGS/UNIMAC GRAPHICS -PAD ADD & FENCE
BLOCK 128, LOT 5, IN THE BOROUGH OF CARLSTADT**

WHEREAS, an application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission ("NJMC") by Michael Feltman, Esq., of the firm of Sokol, Behot & Fiorenzo on behalf of the Unimac Graphics, for the premises identified as 350 Michele Place, Block 128, Lot 5, in Borough of Carlstadt, New Jersey; and

WHEREAS, the variance is sought in connection with the applicant's proposal to construct chiller equipment located at the southwest corner of the building on the subject premises located in the NJMC's Light Industrial A (LI-A) zone; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing to construct chiller equipment approximately 13 feet from the rear lot line adjacent to Block 128, Lot 39; and

WHEREAS, notice of the requested variance relief was given to the public and all interested parties as required by law and was published in The (Bergen) Record and The Leader; and

WHEREAS, a public hearing was held in the Office of the NJMC on January 31, 2006 and continued on February 28, 2006, before Sharon Mascaró, Chief Engineer and Kam Chan, Staff Engineer; and

WHEREAS, a comprehensive report date May 8, 2006, has been prepared indicating the recommendations of the Director of Land Use Management and the Executive Director in this matter; and

WHEREAS, the report recommends approval of the bulk variance request to permit a rear yard setback of 13 feet for the proposed chiller equipment, where 75 feet is required, on the subject premises; and

WHEREAS, the members of the NJMC have reviewed the full record including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and the Executive Director, the submissions of the applicant and all written public comments; and

WHEREAS, the members of the NJMC concur with the recommendations of the Director of Land Use Management and the Executive Director; and

WHEREAS, the NJMC hereby determines that the requested variance to permit a rear yard setback of 13 feet, where 75 feet is required, on the subject premises conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the A.G. Holdings/ Unimac Graphics-Pad Add & Fence application for one bulk variance, to permit a rear yard setback of 13 feet for the proposed chiller equipment on the subject premises, is hereby **APPROVED** for the reasons set forth in the May 8, 2006 recommendation.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert Ceberio
Secretary

Resolution No. 06-40

Memorandum

New Jersey Meadowlands Commission

To: _____ NJMC Commissioners and Robert R. Ceberio, Executive Director _____

From: _____ Ileana Kafrouni _____ Date: _____ May 24, 2006 _____

Subject: _____ Variance Recommendation: A.G. Holdings/Unimac Graphics -Pad Add & Fence (File 05-528) _____

An application for one (1) bulk variance was filed with the New Jersey Meadowlands Commission by Michael Feltman, Esq., of the firm of Sokol, Behot & Fiorenza on behalf of the Unimac Graphics, for the premises identified as 350 Michele Place, Block 128, Lot 5, in Borough of Carlstadt, New Jersey. Said premises are located in the Commission's Light Industrial A (LI-A) zone. The variance is sought in connection with the applicant's proposal to construct chiller equipment located at the southwest corner of the building.

The applicant has requested variance relief from N.J.A.C. 19:4-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing to construct chiller equipment approximately 13 feet from the rear lot line adjacent to Block 128, Lot 39. A public hearing on this matter was held in the Office of the NJMC on January 31, 2006 and continued on February 28, 2006.

In a comprehensive report dated May 8, 2006, the Director of Land Use Management and the Executive Director recommended approval of the bulk variance request in connection with the applicant's proposal to permit a rear yard setback of 13 feet, where 75 feet is required. This report was forwarded to the applicant on May 8, 2005 and no appeal was received by the NJMC regarding this matter.

At this time, the Commission is required to issue a decision on the variance application described above. A resolution requesting the same is attached for your consideration.

**RESOLUTION TO ADOPT AN AMENDMENT TO THE
SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN**

WHEREAS, N.J.S.A. 13:17-21 provides the procedure for preparing and adopting redevelopment plans for areas determined to be renewal areas within the Hackensack Meadowlands District for the purposes of redevelopment; and

WHEREAS, on May 26, 1999, the Commission passed Resolution No. 99-39 adopting a redevelopment plan with modifications for the Laurel Hill Redevelopment Plan in the Town of Secaucus for Block 5, Lots 3, 4 (which includes 4.01), 5, 6, 7.01, 7.02, 8, and 9; Block 8, Lots 1 and 2; Block 9, Lots 4, 5, 6.03 (formerly lots 6.01 and 6.02), 7, 8.05, 8.06, 8.07, 9, 10, and 11; Block 10, Lots 1, 2, 3, 4.01, 6.01, 8.01, 9.01, 10, 11, 12, and 13; and Block 12, Lot 1; and

WHEREAS, on April 16, 2004, the Commission passed Resolution No. 04-20, adopting the Secaucus Transit Village Redevelopment Plan which superseded the Laurel Hill Redevelopment Plan. Upon analysis, it was determined that not all of the original lots in the Laurel Hill Redevelopment Area should be included in the Secaucus Transit Village Redevelopment Area. The following blocks and lots listed in the Laurel Hill Redevelopment Plan, adopted on May 26, 1999, have been removed from the redevelopment area: Block 9, Lots 4, 5, 6.03 (formerly Lots 6.01 and 6.02), 7, and 8.07; and Block 10, Lots 1, 2, 3, and 4.01. The current zoning for these parcels is depicted on the Hackensack Meadowlands District Official Zoning Map, dated February 17, 2004; and

WHEREAS, the Secaucus Transit Village Redevelopment Plan is applicable to the following properties: Block 5, Lots 3, 4 (including Lot 4.01), 5, 6, 7.01, 7.02, 8, and 9; Block 8, Lots 1 and 2; Block 9, Lots, 8.05, 8.06, 9, 10, and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; and Block 12, Lot 1, in the Town of Secaucus; and

WHEREAS, pursuant to N.J.A.C. 19:3-5.15, Fraternity Meadows, LLC, the redeveloper designated by the Commission in June 2004 for Block 5, Lots 3 & 5 within the Riverfront Landing zone of the Secaucus Transit Village Redevelopment Area, petitioned the NJMC to consider an amendment to the Secaucus Transit Village Redevelopment Plan to directly address the Town of Secaucus' growth share obligation generated by Fraternity Meadows' project, as set forth by the New Jersey Council on Affordable Housing's (COAH) third round rules; and

WHEREAS, the amendment is intended to locate the entire affordable housing growth share obligation generated by the Fraternity Meadows project on-site, within the Riverfront Landing zone; to allow an increase in market-rate units to offset affordable housing units resulting from COAH's third round rules; to require a minimum of 735 active adult units in the Riverfront Landing zone; to exclude active adult units from the yearly limitation on issuance of occupancy certificates; and to permit an increase in building height in the Riverfront Landing zone to accommodate the additional units; and

WHEREAS, a public hearing was held on April 11, 2006, to obtain public comments concerning the proposed amendment to the Secaucus Transit Village Redevelopment Plan, dated May 2006; and

WHEREAS, the NJMC Staff has reviewed all comments made at the public hearing and materials submitted by experts in various planning disciplines and recommends that the Commission adopt the amendment to the Secaucus Transit Village Redevelopment Plan.

NOW, THEREFORE, IT BE RESOLVED that, based upon Staff recommendations and the public comments received, the Commission hereby adopts the amendment to the Secaucus Transit Village Redevelopment Plan.

The foregoing was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting on May 24, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-41

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: May 24, 2006

Subject: Secaucus Transit Village Redevelopment Plan -Amendment

The NJMC staff has prepared an amendment to the Secaucus Transit Village Redevelopment Plan (Redevelopment Plan) within the Town of Secaucus. Pursuant to N.J.A.C. 19:3-5.15, Fraternity Meadows, LLC, the designated redeveloper of Block 5, Lots 3 & 5 within the Riverfront Landing zone of the Secaucus Transit Village Redevelopment Area, submitted a petition for the NJMC to consider an amendment to the Redevelopment Plan. The petition requested changes to the Redevelopment Plan that would allow the redeveloper to directly address the New Jersey Council on Affordable Housing's (COAH) third round growth share obligation generated by the project on-site within the Riverfront Landing zone. As a result, Fraternity Meadows, LLC requested additional market-rate units to off-set the affordable residential units resulting from COAH's third round rules, as well as an accompanying increase in building heights in the Riverfront Landing zone.

The approximately 231 acre redevelopment area consists of the following blocks and lots:

Secaucus: Block 5, Lots 3, 4 (including Lot 4.01), 5, 6, 7.01, 7.02, 8 and 9; Block 8, Lots 1 and 2; Block 9, Lots, 8.05, 8.06, 9, 10 and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; and Block 12, Lot 1.

On April 11, 2006, a public hearing was held regarding the redevelopment plan amendment. Several members of the public and elected officials provided comments at the public hearing. Margaret Schak of Rutherford emphasized that the NJMC's Intermunicipal Tax Sharing program should be considered in analysis of all NJMC projects. In addition, several area residents voiced concerns at the public hearing regarding impacts associated with increased density, traffic impacts, the height of the residential structures, and municipal infrastructure. Councilman John Brecher, representing the second ward in the Town of Secaucus, expressed concern with the size of the project. Several housing advocacy groups were present at the hearing. While all were in favor of locating affordable units on-site and interspersing the affordable units within the Riverfront Landing zone, several housing groups expressed their desire to require additional housing. One of the housing groups stated their concern with the constitutionality of COAH's third round rules. Mayor Elwell spoke in favor of the amendment.

One written comment was received from the New Jersey Turnpike Authority who wanted the record to reflect that they reserve their comments.

NJMC Staff's recommendation to the Commission to approve the amendments to the Secaucus Transit Village Redevelopment Plan is based upon the public comments received and the updated Fiscal Impact Analysis prepared by Dr. David Listokin, Rutgers University, Edward J. Bloustein School of Planning and Public Policy, Center for Urban Research for the plan amendment.

The matter was forwarded to the Hackensack Meadowlands Municipal Committee and approved at their meeting on May 1, 2006. At this time, Staff requests that the Commission adopt the amendment to the Secaucus Transit Village Redevelopment Plan.

**RESOLUTION TO INVESTIGATE REDEVELOPMENT OPPORTUNITY AT
BLOCK 202, LOTS 2, 4.01 AND 4.02 IN TETERBORO**

WHEREAS, N.J.S.A. 13:17-20 provides for the procedure declaring a renewal area within the Meadowlands District for the purpose of redevelopment; and

WHEREAS, N.J.S.A. 13:17-20 requires the Commission, prior to declaring any portion of the District a renewal area, to adopt a resolution providing for a preliminary investigation of the site; and

WHEREAS, the statute requires NJMC staff to prepare a map showing the boundaries of the area to be investigated, prepare a statement detailing the reasons for the redevelopment investigation and to convene a public hearing to obtain comments on the matter; and

WHEREAS, upon completion of the procedures above, the NJMC staff must determine whether the site meets criteria to be deemed "in need to redevelopment" and provide a recommendation to the Commission regarding whether the site should be designated a renewal site for the purpose of redevelopment; and

WHEREAS, the NJMC received a request to investigate the redevelopment potential of Block 202, Lots 2, 4.01 and 4.02 in the Borough of Teterboro, which are underutilized and potentially contaminated.

NOW, THEREFORE BE IT RESOLVED, that the NJMC staff is hereby authorized to conduct an investigation of the site designated herein to determine if the area is in need of redevelopment.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert R. Ceberio
Secretary

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: May 24, 2006

Subject: Teterboro Block 202, Lots 2, 4.01 and 4.02 Redevelopment Request

The NJMC is in receipt of a request from the Borough of Teterboro Mayor John P. Watt to investigate properties located at Block 202, Lots 2, 4.01 and 4.02 in the Borough of Teterboro to determine if they have the potential to be designated as a redevelopment area.

The parcels are located on Industrial Avenue in Teterboro. The parcels were previously used for industrial purposes, first by Bendix and then Allied Chemical. Honeywell is the current owner of the properties, which are underutilized and potentially contaminated.

NJMC Staff requests authorization from the Commission to proceed with the first step in the redevelopment process of assessing the properties to determine whether the sites meet the criteria to be deemed "in need of redevelopment." Upon completion of public hearings and a findings report by staff, the Commission will be in a position to decide whether the criteria is met and, if so, may authorize the staff to proceed with the second phase- preparation of a redevelopment plan.

**RESOLUTION AUTHORIZING THE ENTERING INTO A MEMORANDUM
OF UNDERSTANDING WITH THE RUTGERS UNIVERSITY TO CONDUCT
A STORMWATER UTILITY FEASIBILITY ANALYSIS**

WHEREAS, flooding in the Hackensack Meadowlands District (District) affects residences, businesses, industrial operations, commuter traffic and emergency vehicle access; and

WHEREAS, the business community located within the District suffers financial loss when flooding events cause major transportation corridors, loading docks, and parking lots to become impassable; and

WHEREAS, the New Jersey Meadowlands Commission (NJMC) staff has collected extensive information pertaining to flooding in the District; and

WHEREAS, the NJMC staff estimates that a significant amount of the flooding events in the District caused by typical rainfall events could be avoided if the stormwater collection systems were effectively maintained; and

WHEREAS, tidal flooding could be mitigated by properly maintaining and operating District tidegates and pump stations; and

WHEREAS, a stormwater utility will generate funding for maintenance of the stormwater collection systems, tidegates and pump stations in the District; and

WHEREAS, a stormwater feasibility study will analyze and draft financial modeling structures aimed at effectively funding the creation of a stormwater utility in the District; and

WHEREAS, it is staff's recommendation that Rutgers University has the resources and experience needed to conduct a Stormwater Utility Feasibility Analysis of the District.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to enter into a Memorandum of Understanding with Rutgers University Cook College to conduct a Stormwater Utility Feasibility Analysis with funding not to exceed \$100,000.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-43

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners

From: Robert R. Ceberio

Date: May 24, 2006

Subject: Memorandum of Understanding with Rutgers University to Conduct a Stormwater Utility Feasibility Analysis

If approved, Resolution 06-43 will authorize the Executive Director to enter into a Memorandum of Understanding with Rutgers University Cook College to conduct a Stormwater Utility Feasibility Analysis with funding not to exceed \$100,000. The New Jersey Meadowlands Commission (NJMC) has been monitoring flooding events in the District, and estimates that a significant number of flooding occurrences are due to a lack of maintenance of the current stormwater collection systems, tidegates, and pump stations. Instead of placing the financial burden of maintaining these systems on the local municipalities, a regional effort needs to be examined. Through regionalizing this service, the total cost to maintain the current stormwater system will be spread out over the region, rather than placing this cost burden on the individual municipalities.

The study will effectively determine the feasibility of establishing a stormwater utility in the Meadowlands District. It will examine the finances of maintaining this system, including equipment and maintenance costs. This information will be used by the NJMC staff to determine the best course of action to maintain the current stormwater system.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO AMEND RESOLUTION NO. 04-11 TO PROVIDE A SUPPLEMENTAL
APPROPRIATION IN THE AMOUNT OF \$50,000 FOR THE
MILL RIDGE ROAD DRAINAGE IMPROVEMENT PROJECT IN THE
TOWN OF SECAUCUS**

WHEREAS, flooding in the Hackensack Meadowlands District is a frequent problem that is exacerbated by the lack of adequate drainage conveyance structures in particularly low-lying areas; and

WHEREAS, the area in the vicinity of Mill Ridge Road in Secaucus experiences serious flooding as a result of the inadequacy of the existing stormwater drainage system; and

WHEREAS, the installation of new piping, tidegates and the reconstruction of existing stormwater outlet structures in the area would alleviate the flooding problems experienced in the area; and

WHEREAS, the project required an engineering design and appropriate permits in addition to the installation of the pipes and structures; and

WHEREAS, in February 2004, the New Jersey Meadowlands Commission (NJMC) appropriated \$150,000 to the Town of Secaucus for the engineering design and permitting services, in addition to the installation of drainage improvements in the vicinity of Mill Ridge Road, to include the installation of new piping, tidegates and the reconstruction of stormwater outlet structures along the Hackensack River and Mill Creek; and

WHEREAS, the NJMC received a letter from Secaucus requesting an additional \$50,000 in order to cover the full cost of the improvements.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that Resolution No. 04-11 is hereby amended to provide a \$50,000 grant to the Town of Secaucus for the completion of the Mill Ridge Road Drainage Improvement Project.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-44

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners

From: Robert R. Ceberio

Date: May 24, 2006

Subject: Mill Ridge Road Drainage Improvement Project

This resolution would appropriate an additional \$50,000 for the Mill Ridge Road drainage improvement project. The Commission awarded a \$150,000 grant to Secaucus through Resolution No. 04-11. The town engineer's estimate indicates an additional \$50,000 is needed to undertake the project and construction and to maximize flood control protection. This grant is on a reimbursable basis.

**CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE
DIRECTOR TO AMEND THE PROJECT SCOPE OF AGREEMENT
WITH THE NATIONAL CENTER FOR PUBLIC PRODUCTIVITY AT
RUTGERS UNIVERSITY**

WHEREAS, at its March 29, 2006 meeting, the Commission approved Resolution 06-15 to enter into an agreement with the National Center for Public Productivity at Rutgers University to establish an agency-wide Performance Evaluation System and Budgeting Program and;

WHEREAS, in defining the goals of this project the New Jersey Meadowlands Commission staff has examined the potential benefits from development of a 5-Year Financial Management and Strategic Plan for the NJMC and;

WHEREAS, a revised set of goals for this project now include:

- Developing a Five-Year Financial Management Plan and Planning Process;
- Developing a Comprehensive Five-Year Strategic Plan;
- Developing a Performance Measurement System, incorporating:
 - Performance measures for the entire agency;
 - Benchmarks from comparable organizations – based on best practices nationally and internationally;
 - Performance measures for the Personnel Evaluation Process;
- Developing a Performance Budget and converting the present financial process to a two-year cycle and;

WHEREAS, it is expected that the project to be completed by the end of October for adoption of the various elements at the December NJMC Board meeting and;

WHEREAS, the expansion of the initial goals would require the initial budget to be increased by \$60,000 to a total contract amount of \$160,000.

NOW THEREFORE BE IT RESOLVED, by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to reflect the revised set of goals in the agreement with the National Center for Public Productivity at Rutgers University and;

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to increase the initial budget to an amount not to exceed \$160,000.

The foregoing was adopted on Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-45

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Irfan A. Bora Date: May 24, 2006

Subject: NJMC Strategic and Financial Plan

The Commission, at its March 29th meeting, approved a resolution to enter into an agreement with the National Center for Public Productivity at Rutgers University to establish an agency-wide Performance Evaluation System and Budgeting Program. In defining the goals of this project we have also looked into the development of a Five-Year Financial Management and Strategic Plan for the NJMC. A revised set of goals for this project now include:

- Developing a Five-Year Financial Management Plan and Planning Process;
- Developing a Comprehensive Five-Year Strategic Plan;
- Developing a Performance Measurement System, incorporating
 - Performance measures for the entire agency;
 - Benchmarks from comparable organizations – based on best practices nationally and internationally;
 - Performance measures for the Personnel Evaluation Process;
- Developing a Performance Budget and converting the present financial process to a two-year cycle.

It is expected that the project will be completed by the end of October for adoption of the various elements at the December NJMC Board meeting. The expansion of the initial goals would require the initial budget to be increased by \$60,000 to a total contract amount of \$160,000.

The NJMC staff recommends Board approval of this request.

/cd

**RESOLUTION AUTHORIZING THE PUBLICATION OF
A NOTICE OF PROPOSAL AND TO HOLD A PUBLIC HEARING
REGARDING A PETITION FOR REZONING OF
501 NEW COUNTY ROAD, BLOCK 16, LOT 5, IN SECAUCUS, NEW JERSEY**

WHEREAS, the New Jersey Meadowlands Commission (NJMC) is authorized by N.J.S.A. 13:17-1, *et seq.* to adopt codes and standards regarding the zoning and rezoning of lands within the Meadowlands District; and

WHEREAS, staff of the Division of Land Use Management (LUM) of the NJMC received an application by the property owner, William Stefan of Intermodal Properties ("Petitioner"), to rezone a 5.81-acre parcel of land identified as 501 New County Road, designated on the municipal tax map as Block 16, Lot 5, in the Town of Secaucus; and

WHEREAS, the lot enumerated above is currently zoned Intermodal B; and

WHEREAS, the petitioner is seeking a rezoning to the Transportation Center zone, which zone is adjacent to the subject property to the west, north, and east; and

WHEREAS, NJMC staff has preliminarily determined that the petition merits further consideration.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that NJMC staff is hereby authorized to prepare and submit a Notice of Proposal to the Office of Administrative Law for publication in the New Jersey Register and hold a public hearing in order to receive input from the petitioner and the general public regarding the possible rezoning of 501 New County Road, Block 16, Lot 5, in the Town of Secaucus, New Jersey.

The foregoing was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting on May 24, 2006.

Robert R. Ceberio
Secretary

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: May 24, 2006

Subject: SP-535 Intermodal Properties Rezoning

On May 8, 2006, the Division of Land Use Management (LUM) of the New Jersey Meadowlands Commission (NJMC) received a petition by the property owner, William Stefan of Intermodal Properties, to rezone a 5.81-acre parcel within the Hackensack Meadowlands District, identified as 501 New County Road, Block 16, Lot 5, in the Town of Secaucus. The property is currently zoned Intermodal B.

The property in question is somewhat irregularly-shaped, with a panhandle-like extension of approximately 700 feet in length to provide access to New County Road. With the exception of this driveway, the bulk of the property does not contain frontage on New County Road. The site is improved with a one-story industrial building, which is currently vacant; it was formerly occupied by a freight forwarding facility.

The property is adjacent to the Secaucus Transfer Station to the west; the Northeast Corridor rail line, the New Jersey Turnpike, and New County Road to the north; and, the Norfolk Southern rail yards and rail line to the east and south. The property's southern boundary is also formed by Penhorn Creek and the Jersey City municipal border. Properties to the south are zoned Intermodal B, and adjacent properties to the west, north, and east are in the Transportation Center zone. The Secaucus Transit Village Redevelopment Area is located northwest of the property in question, and light industrial uses and zones are located north and east of properties in the Transportation Center zone.

The parcel's current Intermodal B zoning is intended to accommodate high-intensity transportation facilities that are located proximate to rail lines in the District and whose operations are related to port and rail activities, including rail and trucking facilities and supporting uses, as well as uses related to the construction industry.

The petitioner is proposing to rezone the parcel to the Transportation Center zone, which is contiguous to the property in question. The purpose of the Transportation Center zone is to accommodate a major commuter transfer center and associated office, hotel, and other commercial uses. Appropriate supporting uses are also encouraged to service the daily needs of the users of the zone. The application states the proposed use at the subject location would promote the NJMC Master Plan. The proposed use is a special exception use in the Transportation Center zone.

Upon preliminary review of the rezoning application, the NJMC staff feels the proposal merits further investigation, due to the site's relatively obscure location within the land use arrangement and potential to directly access major transportation connections without significant reliance on the local roadway network.

At this time, NJMC staff is requesting authorization to file a Notice of Proposal with the Office of Administrative Law for publication in the New Jersey Register in order to formally consider this proposal. In addition, the staff is requesting authorization to hold a public hearing on this matter. A resolution requesting same is attached for your consideration.

**RESOLUTION AUTHORIZING THE NEW JERSEY MEADOWLANDS
COMMISSION STAFF TO COMMENCE A HEARING OFFICERS'
PROCESS ON THE NEW GIANTS/JETS STADIUM PROJECT**

WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA), in consultation with New Meadowlands Stadium Company, LLC, is undertaking the building of a new Giants/Jets stadium; and

WHEREAS, pursuant to N.J.S.A. 5:10-5(x) and N.J.S.A. 5:10-23, the NJSEA must consult with the New Jersey Meadowlands Commission (NJMC) and the New Jersey Department of Environmental Protection (NJDEP) through a Hearing Officers' Process; and

NOW, THEREFORE, BE IT RESOLVED that the NJMC Staff is authorized to commence the Hearing Officers' Process for the Project; and

BE IT FURTHER RESOLVED that Robert Ceberio, New Jersey Meadowlands Commission Executive Director, is hereby designated as the NJMC Hearing Officer for the Process.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-47

Memorandum

New Jersey Meadowlands Commission

To: _____ NJMC Commissioners _____

From: _____ Christine A. Sanz _____ Date: _____ May 24, 2006 _____

Subject: _____ Hearing Officers' Process/Giants-Jets Stadium _____

The New Jersey Sports and Exposition Authority (NJSEA), in conjunction with New Meadowlands Stadium Company, LLC, will be building a new Giants/Jets stadium. Pursuant to N.J.S.A. 5:10-5(x) and N.J.S.A. 5:10-23, the NJSEA must consult with the NJMC and the NJDEP through a Hearing Officers' Process.

The attached resolution authorizes staff to commence the Hearing Officers' Process for the Project and designates Robert Ceberio, New Jersey Meadowlands Commission Executive Director, as the NJMC Hearing Officer for the process.

/lj

RESOLUTION: CLOSED SESSION

WHEREAS, the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the holding of closed session by public bodies in certain circumstances; and

WHEREAS, the New Jersey Meadowlands Commission is of the opinion that those circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That a closed session of the NJMC will be held to discuss the following:
2. It is anticipated at this time that the above subject matter(s) will be made public upon completion of said matter(s).

This Resolution shall become effective immediately. The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of May 24, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-48